

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

YAN WU,

Plaintiff,

Case No. 3:15-cv-173

vs.

LEON RODRIGUEZ, *et al.*,

Defendants.

District Judge Thomas M. Rose  
Magistrate Judge Michael J. Newman

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**ORDER ADOPTING REPORT AND RECOMMENDATION (DOC. 8)**

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The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #8), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendation filed on August 24, 2015 (Doc. #8) is **ADOPTED** in full;
2. Defendants' motion to remand (Doc. #5) is **GRANTED**;
3. This matter is **REMANDED** to USCIS for adjudication **AS SOON AS POSSIBLE**, and, in any event, no later than **120 DAYS** from the date of this Order;
4. Defendants **SHALL** file a notice with the Court when they have complied with this Order; and

5. This case is terminated on the docket of this Court.

Date: September 14, 2015

\*s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE